

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

z4 Technologies, Inc.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	HONORABLE <u>Leonard Davis</u>
vs.	§	
	§	CIVIL ACTION NO. <u>6:06-cv-00258</u>
	§	
Microsoft Corporation	§	
	§	
<i>Defendants.</i>	§	<u>JURY TRIAL DEMANDED</u>

JOINT MOTION TO CONTINUE DEADLINES AND HEARINGS

COME NOW Plaintiff and Defendant in the above entitled action and jointly move the Court to continue all deadlines and all hearing dates by not more than 15 days, and in support thereof would show the Court as follows:

The parties have reached a settlement in principle that will resolve all outstanding litigation and request the above-referenced extension in order to permit the parties to finalize settlement documents. The deadlines and hearing dates that would be effected by this stay are as follows:

Current Deadline	Description	New Deadline
April 15, 2008	Summary judgment responses are due. Any party seeking to file an expert report must file a motion seeking leave of Court by this date.	April 30, 2008
April 22, 2008	Summary judgment replies are due.	May 7, 2008
April 29, 2008	Summary judgment sur-replies are due.	May 14, 2008

May 1, 2008	Hearing on all pending motions for summary judgment.	May 16, 2008 or after as the Court's schedule permits
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WHEREFORE, PREMISES CONSIDERED, the parties respectfully request the Court to continue all deadlines and hearing dates as stated above.

Respectfully submitted,

<p><u>/s/ John Ward, Jr.</u> T. John Ward, Jr. (State Bar No. 00794818) Ward & Smith Law Firm P.O. Box 1231 Longview, Texas 75606-1231 Email: jw@jwfirm.com</p> <p>THOMAS A. LEWRY (MI Bar No. 36399) Lead Attorney BROOKS KUSHMAN P.C. 1000 Town Center Twenty-Second Floor Southfield, Michigan 48075-1238 Tel: (248) 358-4400 Fax: (248) 358-3351 Email: tlewry@brookskushman.com</p> <p>Joe Kendall (Texas State Bar No. 11260700) Provost Umphrey, L.L.P. 3232 McKinney Avenue, Suite 700 Dallas, TX 75204 Email: jkendall@provostumphrey.com</p> <p><i>Attorneys for Plaintiff</i></p>	<p><u>/s/ Robert L. Rickman (w/permission TJWJr)</u> Ruffin B. Cordell Texas Bar No. 04820550 cordell@fr.com FISH & RICHARDSON P.C. 1425 K Street, 11th Floor Washington, D.C. 20005 Telephone: (202) 783-5070 Facsimile: (202) 783-2331</p> <p>Robert L. Rickman Texas Bar No.: 24013400 FISH & RICHARDSON P.C. 1717 Main Street, Suite 5000 Dallas, Texas 75201 Telephone: (214) 747-5070 Fax: (214) 747-2091 E-mail: rickman@fr.com</p> <p>John E. Gartman (CA SBN 152300) Lead Attorney Matthew C. Bernstein (CA SBN 199240) Seth M. Sproul (CA SBN 215919) FISH & RICHARDSON P.C. 12390 El Camino Real San Diego, California 92130 Tel: (858) 678-5070 Fax: (858) 678-5099</p> <p>Jennifer P. Ainsworth WILSON SHEEHY KNOWLES ROBERTSON & CORNELIUS, P.C. 909 ESE Loop 323, Suite 400 Tyler, Texas 75701 Tel: (903) 509-5000 Fax: (903) 509-5091 <i>Attorneys for Defendant</i></p>
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email on this the 15th day of April, 2008.

/s/ John Ward, Jr.
T. John Ward, Jr.